

KENTUCKY BOARD OF RESPIRATORY CARE

MINUTES
June 17, 2021

The Kentucky Board of Respiratory Care held a meeting on Thursday June 17, 2021 via Zoom videoconference.

MEMBERS PRESENT

Tom Baxter, RRT, Chair
Darrell Heckman, Citizen at Large
Chaitanya Mandapakala, MD
Ken McKenney, RRT
Marlene McKinley, RRT
Scott Pettinichi, RRT
Mohamed Saad, MD

KBRC STAFF

Tamara G McDaniel, Executive Director

Leah Boggs, Legal Counsel

Call to Order

Chair Tom Baxter called the meeting to order at 5:33pm.

Swearing in of New Members

Ms. McDaniel gave the oath of office to new members Marlene McKinley and Scott Pettinichi whose terms expire October 31, 2023.

Election of Vice Chair

Mr. Heckman made the motion to accept the nomination of Ken McKenney for Vice-Chair. Mr. Pettinichi seconded the motion. Motion carried unanimously.

Minutes

Mr. Heckman made a motion to accept the meeting minutes of April 15, 2021. Mr. McKenney seconded the motion. Motion carried unanimously.

Financial Statement

Ms. McDaniel presented the FY2021 to date, financial report and budget report. She reported that the Board is within the quarterly budget allotment and within the total budgeted spending. Ms. McDaniel also presented the Board with a letter from the Office of the State Budget Director regarding the retirement contribution rate. The rate for fiscal year 2021-2022 shall be 83.97% of staff salaries contributed to the retirement system. Ms. McDaniel further explained that 10.10% goes towards employee retirement and 73.87% goes to the underfunded pension liability.

Staff Report

Ms. McDaniel reported that the annual audit of physical asset inventory has been completed and submitted to the Auditor of Public Accounts and the Office of Statewide Accounting Services.

Old Business

Nothing to report

Closed Session

Mr. McKenney made a motion for the Board to go into closed session, pursuant to KRS 61.810(1) (c) and (j), to discuss proposed or pending litigation and to deliberate regarding individual adjudications. Mr. Heckman seconded the motion. The motion carried unanimously.

Mr. McKenney made a motion to come out of closed session; seconded by Mr. McKenney. Motion carried unanimously.

Agreed Orders – Compliant Cases

Tara Adams

Ms. McDaniel reported that Tara Adams is compliant. No action on the case.

Stacey Colyer

KYPRN reported that Stacey Colyer is compliant. No action on the case.

Johnna Jervis

KYPRN reported that Johnna Jervis is compliant. No action on the case.

Brenda Monroe

KYPRN reported that Brenda Monroe has been on hold and is expected to restart her monitoring June 10, 2021. No action on the case.

Ali Omar

KYPRN reported that Ali Omar is compliant. No action on the case.

Justin Smith

Ms. McDaniel reported that Justin Smith is compliant. No action on the case.

Brett Holland- KYPRN reported that Mr. Holland has been discharged from the program. Ms. McDaniel reported that his license is currently suspended and he will have to restart the KYPRN program when his license is re-activated.

Active Complaint Cases

1. James E. Cash II #1771- Complaint from Rockcastle Hospital

Notice for an administrative hearing has been filed with the Office of Administrative Hearings.

2. Deborah Meuhlenbein #7248- Complaint from University of Louisville Hospital

Ms. Muehlenbein has signed her Agreed Order. Monitoring will begin this month.

4. Stacey Colyer # 5821 – Self-reported disciplinary action in WI

Ms. Colyer has signed her Agreed Order and has begun monitoring with KYPRN.

5. Kimberly Moore #1636 – declaration of misdemeanor or felony

Ms. Moore has signed her Agreed Order but has not signed her KYPRN agreement. Ms. McDaniel will contact Ms. Moore and will report back at the August 19, 2021 meeting.

6. Marcus Allen #8822 – Complaint from Highlands Nursing and Rehabilitation

Mr. McKinney made a motion to resend Mr. Allen a letter denying the approval of his Mandatory Certificate and the letter should include the process for appeal. Dr. Saad seconded the motion. Motion carried unanimously

7. Brian Downey #5860 Reinstatement Application with declaration of a felony

Mr. Downey has until July 10th to return his Agreed Order. Ms. McDaniel will report back at the August 19, 2021 meeting.

8. Sabrina Williams #7488 – Failure to submit audit

Ms. McDaniel reported that the Agreed Order was sent to Ms. Williams last week. She has until July 10th to return.

9. Vincent Jenness #8419 – Failure to submit audit-

Ms. McDaniel reported that the Agreed Order was sent to Ms. Jenness and he has contacted the Board. He is asking to be able to turn in his Audit form and continuing education certificates at this time. Mr. McKenney made a motion to cancel the Agreed Order so long as Mr. Jenness is compliant with his audit and he writes a letter of explanation to the Board as to why he did not complete his audit in a timely manner. seconded the motion. Motion carried unanimously.

10. Jeremy Wilson Limited Mandatory License – Complaint by Lake Cumberland Regional Medical Center

No action taken.

New Business

1. Application Review - Ms. McDaniel reported that there were **120** Mandatory applications, **44** of which were Reciprocity applications, **5** Temporary and **30** Limited Mandatory (student) applications. There were **7** application issues to report.

A. Jordan Murray #7901 – Reinstatement Application – Working on expired license (more than 14 days)

Ken McKenney made a motion to offer Mr. Murray an Agreed Order with the following terms: \$1000 fine for working more than 14 days without a Mandatory Certificate. Mr. Pettinichi seconded the motion. Motion carried unanimously.

B. Audra Wiggins #2871 – Reinstatement Application – Working on expired license (1 day)

Ms. McDaniel reported that an Agreed Order with the terms of a \$50 fine was sent to Ms. Wiggins. Mr. McKenney made a motion to ratify the Agreed Order that has been signed by Ms. Wiggins. Dr. Saad seconded the motion. Motion carried unanimously.

C. Sheri L. Crandall – Mandatory Application–Report of 2007 Felony charge

Mr. Heckman made a motion to ratify the approval of Ms. Crandall's application and issuance of her license. Mr. McKenney seconded the motion. Motion carried unanimously.

D. Michael Wildeboer - #8424 – Working on an expired license,(more than 14 days)

No action

E. Regina Brandon – Working without a license

No action

F. Tracy Vance – Working without a license

No action

G. Shelby Hardymon – Limited Mandatory Application – Working without a license

Mr. Heckman made a motion to issue the license to Ms. Hardymon without penalty or actions against her. To issue a subpoena to St. Joseph Hospital for records of Ms. Hardymon's employment so that proper information may be submitted to the Center for Medicare Services when reporting this issue to them. Mr. McKenney seconded the motion. Motion carried unanimously.

Mr. McKenney made a motion to accept all **151** new applications. Dr. Saad seconded the motion. Motion carried unanimously.

The following **Limited Mandatory applications (30)** were approved: Jasmine Anderson, Stephanie Bray, Autumn Brown, Mackenzie Byrd, Timeka Carson, Pauletta Clay, Crystal Codington, Robert Couch, Elisia Davis, Lashona Davis, Alexis Dickerson, Allie Embry, Dominique Etling-Turner, Hannah Fannin, Adam Garriosn, Brendan Grider, Shelby Hardymon, Mary Hartley, Marissa Kaelin, Sara Kaminsky, Madeline Moran, Zachary Megulis, Lauren Norris, Nathalie Portillo, Karissa Reader, Allison Rowley, Sarah Shaw, Sarina Soto, Robin Wilson and Brandi Wood.

The following **Temporary Mandatory applications** were approved: Megan Coomer, Ethan Harless, Amber Joseph, Lauren Runyon and Renee Whyte.

The following **Mandatory applications (120)** were approved: Heather Abbott, Delena Alexander, Ghader Alkhazal, Candace Allen, Leigh Allen, Michelle Allen, Sandra Anderson, Earl Autry, Anna Baumer, Danielle Bailey, Jennifer Beasley, Ciara Belcher, Dustin Belcher, Cassidy Benford, Megan Beverly, Jennifer Bickel, Emily Bird, Steven Bonafede, Tabitha Boone, Lauren Bowen, Beverly Boyd, Kyra Boyd, Aaron Brace, Regina Brandon, Tyler Britton, Robert Brown, Angela Burden, Destiny Chaffins, Sheri Crandall, Elizabeth Crawford, Sophia Cristofoli, Patricia Dale, Danielle Davenport, Jasmine Davis, James DeBerry, Keasha Dotson, Brian Downey, Rebecca Duffey, Mary Ellis, William Erickson, Cori Ernstes, Sarah Ferguson, Heather French, Naida Gagulic, Abby Garrison, Breanna Gibbs, Michelle Gicale, Britani Gipson, Carmen Gonzalez, Katelinn Green, Kelsie Hale, Lamia Hall, Ashlie Hamilton, Kristen Hanges, Kendra Hargis, Erin Hawkins, Shane Haydon, Brian Holbrook, Michelle Howard, Jamie Howard, Samantha Hurd, Carrie Hylton, Intesar Ismail, Mary Jackson, Jeremiah James, Crystal Johnson, Michele Kaiser, Daniel Key, Richard Kincade, Rochelle King, Courtney Lewis, Ashley Likens, Hannah Manns, Jonathan Martin, Lisa Martin, Calvette Marin, Rebeca McAdorey, Stephanie Michels, Rebecca Miller, John Moore, Jordon Murray, Christina Napoleon, Ethan O'Quinn, Alec Padilla, Melissa Paysinger, Sherri Pendergraft, Mary Pennington, Hannah Pickerell, Taylor Playforth, Stefanie Raab, Lauren Redden, Caroline Reed, Princeton Reese, Abrial Sanders, Rhonda Schum, Colleen Shaffer, Madison Shirley, Shannen Shively, Crystal Shoemaker, Jennifer Shuck, Kimberly Skeen, Colleen Smith, Valerie Spear, Rachel Staples, Shelia Tackett, Stacy Thomas, Lizbeth Toledo-Vasquez, Nichole Treadway, Brittini Trigg, Rissa Tyler, Tracy Vance, Noel Vazquez Amanda Watts, Clare White, Audra Wiggins, Michael Wildeboer, Kaylan Wilson, Nicole Wood, Ashli Woodruff and Amanda Wright.

2. Process of Approval of Applicants – The process of approval will remain the same with ratification of the approvals at the next meeting after the applications have been received. Ms. McDaniel will change the letters to applicants to state that they are provisionally approved until ratified by the Board.

3. Request form Niki Kallmeyer- System Manager for Respiratory Care, St. Elizabeth Healthcare. The Board heard an email from Ms. Kallmeyer requesting that the Board change and expand the scope of practice for Limited Mandatory license holders. Ms. McDaniel suggested that a needs assessment be done with facility directors and managers and with education program directors. She will bring the results of the assessment back to the Board after they have been completed.

Announcements

1. The next meeting will be held Thursday, August 19, 2021 at 5:30 p.m., EST

2. Mr. McKenney made a motion to approve the payment of per diem, compensation, travel at 43 cents per mile, and honoraria for board members. Mr. Heckman seconded the motion. Motion carried unanimously.

3. Mr. Heckman made a motion to adjourn the meeting. Ms. McKinney seconded the motion. Motion carried unanimously. Meeting adjourned at 7:35 p.m.



Thomas D. Baxter, Chair
KY Board of Respiratory Care